

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 26-25: VEGETATION – INVASIVE PLANTS

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 26-25 will have a minimal impact on racial equity and social justice (RESJ) in the County. Eliminating weed removal requirements for native plants and grasses and banning the sale of invasive bamboo could have offsetting impacts on property owners and business owners who are disproportionately White and Asian. Nonetheless, OLO anticipates all community members could proportionately benefit from the positive environmental effects of the changes proposed in Bill 26-25 by race and ethnicity.

PURPOSE OF RESJ IMPACT STATEMENTS

RESJ impact statements (RESJIS) evaluate the anticipated impact of legislation on racial equity and social justice in the County. RESJ is a **process** that focuses on centering the needs, leadership, and power of Black, Indigenous, and other People of Color (BIPOC) and communities with low incomes. RESJ is also a **goal** of eliminating racial and social inequities. Applying a RESJ lens is important to achieve RESJ.¹ This involves seeing, thinking, and working differently to address the racial and social inequities that cause racial and social disparities.²

PURPOSE OF BILL 26-25

In Montgomery County, bamboo is considered an invasive species. Due to their extremely fast growth and resilience, invasive bamboo is difficult to contain and displaces native plants. In Maryland, four main groups of bamboo species are considered invasive.³

Native plants and grasses refer to plant species that occur naturally in a region.⁴ Generally, native plants support local wildlife by providing food and shelter.⁵ They can also reduce environmental impacts associated with lawn care since they:⁶

- Require less water and pesticides compared to lawns;
- Prevent erosion by increasing the soil's capacity to store water and reduce runoff; and
- Reduce air pollution related to lawncare and promote biodiversity.

If enacted, Bill 26-25 would prohibit the sale of invasive bamboo in the County. It would also exempt native plants and grasses from weed removal requirements.^{7,8}

Bill 26-25 is a part of the recently introduced *Native Plant Protection Act*. The Act also includes a zoning text amendment (ZTA) that would require all landscaping in new construction projects to include at least 50 percent of plants native to the Mid-Atlantic region.⁹

The Council introduced Bill 26-25 on June 17, 2025.

This RESJIS builds on the one for Bill 25-22, Forest Conservation – Trees, which OLO published in October 2022.¹⁰ It also builds on the Climate Assessment for Bill 26-25.¹¹ Please refer to Bill 25-22's RESJIS for background on the climate gap and racial equity.

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ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 26-25 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?
- What racial and social inequities could passage of this bill weaken or strengthen?

OLO identified the following groups who would be impacted by Bill 26-25:

- **Property owners in the County** would benefit from the elimination of weed removal requirements for native plants and grasses. This could help reduce their costs for weed removal.

As shown in Table A (Appendix), homeowners in the County are more likely to be White or Asian. Further, as shown in Table B (Appendix), White community members are largely overrepresented among landlords and other real estate business owners in the County who are also responsible for weed removal requirements. Conversely, Black and Latinx community members are less likely to be homeowners and are underrepresented among landlords and other real estate business owners.
- **Community members at-large** would benefit from the positive environmental effects of controlling invasive bamboo growth and promoting the growth of native plants and grasses. As found in the Climate Assessment for Bill 26-25, these changes would help improve the County's climate resilience.¹²

OLO does not have enough data to determine if there are planting patterns for native plants and grasses and invasive bamboo that differentially impact community members by race and ethnicity. Assuming these patterns are consistent throughout the County, OLO anticipates all community members would proportionately benefit from the positive environmental effects of the changes proposed in Bill 26-25 by race and ethnicity.

- **Business owners who sell invasive bamboo** would be burdened by the ban on invasive bamboo sales. The ban would eliminate a revenue source for these business owners.

OLO considered that business owners in the agriculture and retail sectors are most likely to sell invasive bamboo. County-level data on the demographics of business owners in these sectors by race and ethnicity is unavailable. However, available data for the DC metro area (Table C, Appendix) suggests White people are largely overrepresented in the Agriculture, Forestry, Fishing and Hunting sector. Moreover, Asian people are overrepresented in the Retail Trade sector, while White people are overrepresented in the sector compared to their share of the adult population in the region. Black people are proportionately represented in the Retail Trade sector compared to their share of business ownership in all sectors, while Latinx people are underrepresented.

OLO anticipates Bill 26-25 will have a minimal impact on RESJ in the County. White and Asian property owners in the County could disproportionately benefit from reduced costs that could result from the elimination of weed removal requirements for native plants and grasses. However, this benefit will be offset at least in part by the loss of revenue from the ban on invasive bamboo to business owners who are likely disproportionately White and Asian. Nonetheless, OLO anticipates all community members could proportionately benefit from the positive environmental effects of the proposed changes by race and ethnicity.

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RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.¹³ OLO anticipates Bill 26-25 will have a minimal impact on RESJ in the County. As such, OLO does not offer recommended amendments.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

APPENDIX

Table A. Homeownership Rate by Race and Ethnicity, Montgomery County

Race or ethnicity ¹⁴	Homeownership Rate
Overall	64.4
Asian	75.1
Black	43.9
White	74.4
Latinx	48.8

Source: [Table S0201, 2023 American Community Survey 1-Year Estimates, Census Bureau](#).

Table B. Percent of Real Estate and Rental and Leasing Employer Firms by Race and Ethnicity, Montgomery County

Race or ethnicity	Real Estate and Rental and Leasing Business Owners (NAICS 53) ¹⁵	All Sectors (NAICS 00)	Adult Population
Asian	12.4	21.8	16.0
Black	5.1	7.6	18.3
Native American	-	1.4	0.5
Pacific Islander	-	0.1	0.0
White	82.3	69.1	46.6
Latinx	3.9	10.0	18.7

Source: OLO analysis of [Table AB2200CSA01, 2022 Annual Business Survey](#) and [Table S2101, 2023 American Community Survey 5-Year Estimates](#), Census Bureau.

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Table C. Percent of Employer Firms for Select Sectors by Race and Ethnicity, Washington-Arlington-Alexandria, DC-VA-MD-WV Metro Area

Race or ethnicity	Agriculture, Forestry, Fishing and Hunting (NAICS 11)	Retail Trade (NAICS 44-45)	All Sectors (NAICS 00)	Adult Population
Asian	-	33.7	21.3	11.2
Black	-	8.5	9.9	25.3
Native American	-	-	1.0	0.5
Pacific Islander	-	0.1	0.1	0.1
White	96.4	57.7	68.0	47.2
Latinx	-	4.8	9.0	15.7

Source: OLO analysis of [Table AB2200CSA01, 2022 Annual Business Survey](#) and [Table S2101, 2023 American Community Survey 5-Year Estimates](#), Census Bureau.

¹ Definition of racial equity and social justice adopted from [Marlysa Gamblin et al., "Applying Racial Equity to U.S. Federal Nutrition Programs," Bread for the World](#) and [Racial Equity Tools](#).

² Ibid.

³ ["Containing and Removing Bamboo", University of Maryland Extension](#).

⁴ ["Ornamental and Native Grasses for the Landscape", University of Maryland Extension](#).

⁵ ["Why Native Plants Matter", Audubon Society](#).

⁶ ["Native Gardening: Why Garden with Native Wildflowers?", U.S. Forest Service](#).

⁷ [Introduction Staff Report for Bill 26-25, Montgomery County Council, Introduced June 17, 2025](#).

⁸ County law requires the removal of generalized growth of any weed. It also requires the removal of any generalized plant growth more than 12 inches high within 15 feet of any property boundary. Currently, trees, ornamental shrubs, flowers, and garden vegetables are exempt from removal requirements. Refer to [Montgomery County Code § 58-3](#).

⁹ ["Councilmember Evan Glass Introduces Native Plant Protection Act", Montgomery County Council Press Releases, June 17, 2025](#).

¹⁰ [RESJIS for Bill 25-22, Office of Legislative Oversight, October 4, 2022](#).

¹¹ [Climate Assessment for Bill 26-25, Vegetation – Invasive Plants, July 15, 2025](#).

¹² Ibid.

¹³ [Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council](#).

¹⁴ Race is inclusive of Latinx origin for all data points in this RESJIS.

¹⁵ Margins of error for data points in Tables B and C may be large.